

# **Agriculture and the North County MSCP**

## **Questions & Answers**

### **1. What is the Multiple Species Conservation Program (MSCP)?**

The MSCP is a means to address the situation in San Diego County where numerous rare and endangered species exist that could, by themselves, create problems for farmers and landowners. It is intended to deal with sensitive species in a practical, science-based conservation approach while providing for continued economic growth and prosperity for land owners, farmers, businesses, and residents. It is intended to do this through mitigation for land development projects, acquisition of important habitat areas and recognizing the value of existing agricultural uses for wildlife. The plan that is being developed involves a cooperative effort between the County, and state and federal wildlife agencies and a variety of stakeholders.

The North County MSCP is the second of three parts of the County's MSCP. The County Board of Supervisors approved the South County MSCP Subarea Plan for the southwestern portion of the County in October 1997. The North County MSCP Plan is the next step in this comprehensive planning program for the unincorporated portions of San Diego County. An East County MSCP Plan is in its initial planning stages. This Plan will serve as a multiple species Habitat Conservation Plan (HCP) pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act (ESA), as well as an NCCP plan under the California NCCP Act and the California Endangered Species Act (CESA).

### **2. What role does agriculture play in the conservation of San Diego's wildlife?**

Farms and ranches in San Diego support a wide variety of native wildlife. This relationship can be helpful (such as bats eating unwanted insect pests), destructive (such as deer eating crop plants), or neutral (such as bobcats passing through a field). In any case, agriculture plays a valuable role in the lives of many wildlife species by providing food and shelter (habitat). Some of the wildlife species benefiting from agricultural operations are some insect-eating birds, hawks, deer, coyotes, and rabbits. In some cases, relatively rare species such as Stephens' kangaroo rat and Arroyo toad can form a beneficial relationship with agriculture. However, not all wildlife utilize agricultural land and depend solely on natural lands.

### **3. How does the County define agriculture?**

For the purposes of regulating land use, the County defines agriculture as routine and ongoing commercial operations associated with farm, grove, dairy, or other agricultural business, and shall include: (1) The cultivation and tillage of the soil; crop rotation; fallowing for agricultural purposes; the production, cultivation, growing, replanting and harvesting of any agricultural commodity including viticulture, vermiculture, apiculture, or horticulture; (2) The raising of livestock, fur bearing animals, fish, or poultry, and dairying; (3) Any practices performed by a farmer on a farm as incident to or in conjunction with those farming or grove operations, including the preparation for market,

# **Agriculture and the North County MSCP**

## **Questions & Answers**

delivery to storage or to market, or delivery to carriers for transportation to market; and (4) Ordinary pasture maintenance and renovation consistent with rangeland management and soil disturbance activities. All such activities must be consistent with the economics of commercial agricultural operations and other similar agricultural activities. The final determination of a qualifying use shall be made by the Director of Planning and Land Use or the Director of Agriculture, Weights and Measures.

### **4. What is considered habitat under this program?**

In the broadest sense, habitat is any area that supports species. However, this program focuses on natural habitat and those habitats supporting sensitive, native species. Agricultural lands, by their nature, support many plants and animals other than those that the farmer or rancher is trying to nurture. Therefore, agricultural lands provide a valuable resource for the native plants and animals that occur in San Diego's natural habitat. From a regulatory sense, land supporting sensitive species or land that is in a largely natural state is considered habitat and requires environmental review in order to change its use (for example, clearing the natural habitat or building houses on vacant land).

### **5. What are the existing environmental regulations for agriculture?**

In general, ongoing agricultural operations are mainly regulated with respect to stormwater run-off and pesticide application. Expansion of agriculture onto natural lands, depending on the scope, may require environmental review, grading permit, clearing permit for clearing of habitat, administrative permit, and mitigation for impacts to habitat (especially if the land contains coastal sage scrub vegetation or other sensitive habitat types). Existing operations may also be subject to the Federal and State Endangered Species Acts. The MSCP is intended to deal with regulations that affect state and federal regulations to reduce the need for individual farmers to interface directly with the federal and state wildlife agencies. The San Diego County Farming Program website ([www.sdfarmingprogram.org](http://www.sdfarmingprogram.org)) includes a "Useful Farming Info" link.

### **6. What is "mitigation"?**

Mitigation consists of actions to help lessen the severity of a project's impact on the environment. Examples include preserving habitat by open space easement, purchasing "mitigation credits" in a mitigation bank, restoring natural areas, or by other means. Existing Federal and State regulations require reduction of impacts through mitigation for impacts.

# **Agriculture and the North County MSCP**

## **Questions & Answers**

### **7. How will the North County MSCP change environmental regulations for agriculture?**

This program is an attempt to make environmental regulations more efficient for farmers as they relate to sensitive plants and animals. This program will potentially offer:

- (1) a specified amount of agricultural expansion onto natural lands without a mitigation requirement;
- (2) fixed, and generally lower, mitigation ratios for impacts to natural lands;
- (3) an ability to impact coastal sage scrub vegetation without extensive environmental review (as is currently required); and
- (4) a simplified farm protection program similar to Safe Harbor to give regulatory assurances to farmers whose normal farming operations may involve potential habitat for endangered, threatened or sensitive wildlife (for example, maintenance of a detention basin that created wetlands while following stormwater requirements).

These changes are accomplished by setting up a coordinated system for conservation of natural lands throughout North County.

### **8. Will I still be able to expand my agricultural operation?**

Yes. This program should make this process simpler and less expensive in North County by potentially: (1) waiving biological mitigation requirements for impacts to many acres of natural lands (including coastal sage scrub); (2) preventing future increases in mitigation ratios for impacts to natural lands at a generally lower ratio than is applied today; and (3) allowing minor impacts to habitat without extensive environmental review or mitigation. While exemptions from biological mitigation requirements cannot be allowed in all areas, the environmental review process will be simplified for all areas in North County with this program in place.

### **9. Why can't mitigation for impacts to natural lands be waived for all agricultural expansion?**

The intent is to allow waiving for the expansion of agriculture into lands with low habitat value and low potential for rare and endangered species. However, existing Federal and State regulations require that impacts to habitat for sensitive species be addressed. This program intends to balance land development and conservation of natural areas in North County. Too much development or too many exemptions from mitigation (which offsets development) would impair our ability to adequately conserve plants and animals. It is the conservation of critical natural areas which allows impacts to other natural areas.

# **Agriculture and the North County MSCP**

## **Questions & Answers**

### **10. How will this program affect my existing operation, such as my ability to change crops?**

This program does not propose any new regulations on existing agricultural operations. Existing Best Management Practices will continue to be encouraged and/or regulated as they are now with respect to pesticide use, stormwater, and other agricultural practices. What this program can offer is the potential to protect existing operations from future increases in regulations that protect sensitive wildlife.

### **11. What is the Pre-Approved Mitigation Area?**

The Pre-Approved Mitigation Area (PAMA) is where land is considered to be more important for sensitive species. Conservation efforts will be focused here, either through development mitigation or acquisition from willing sellers. If a developer impacts habitat, mitigation within the PAMA will reduce the amount of mitigation necessary. The protection of land within the PAMA is important for meeting the goals of the County conservation program. This is necessary to obtain permits that allow the loss of some habitat areas by fulfilling the requirements of the federal and state regulations.

Some agricultural lands were included in the PAMA at the request of the state and federal wildlife agencies because they either have potential habitat value for key sensitive wildlife species or they provide a buffer to important natural habitat lands. The goal for these areas would be to retain them in agricultural production.

### **12. How will existing agricultural operations be affected within the PAMA?**

The PAMA is where this program intends to focus conservation efforts. These conservation efforts apply primarily to natural areas but also to agricultural areas within PAMA. We anticipate that the final network of conserved lands will include many natural areas and some working landscapes (active farms and ranches that provide habitat value). This means that there will be opportunities for voluntary conservation of farmlands that are potentially coupled with economic incentives, such as the purchase of agricultural conservation easements.

### **13. How will agricultural expansion be affected within the PAMA?**

Since the PAMA contains natural areas that are important for the long-term survival of endangered, threatened and sensitive wildlife, it is most important that these areas be conserved in their natural state. If they cannot be conserved, their development needs to be adequately mitigated by conserving some natural areas on site or elsewhere. Therefore, any expansion of agriculture onto natural areas within PAMA would need to be mitigated by preserving natural land elsewhere within the PAMA.

# **Agriculture and the North County MSCP**

## **Questions & Answers**

### **14. Will this program result in the conversion of agriculture to housing developments?**

Although this has been a trend in recent years, we do not expect that this program will contribute to the conversion of agriculture to housing development in any way. In fact, it may help retain agriculture in some areas by conserving working landscapes that are included in an open space network that benefits San Diego wildlife. This program can also compliment the San Diego County Farming Program which has the goal of helping farms and ranches to continue their operations.

### **15. How can I provide input on the North County MSCP?**

The County values your comments and input. There are several ways to get involved in the North County MSCP planning process. To be added to our distribution list for planning updates and meeting announcements, please contact Jeremy Buegge at 858-694-3719 (or by email at [jeremy.buegge@sdcounty.ca.gov](mailto:jeremy.buegge@sdcounty.ca.gov)).

For more information please visit our website at [www.mscp-sandiego.org](http://www.mscp-sandiego.org), where you can find information about the MSCP and related topics, including a specific link on “North County MSCP” which has public documents, draft maps, and planning updates. You can also obtain MSCP maps, including North County MSCP draft maps from SanGIS at [www.sangis.org](http://www.sangis.org).

When the draft North County MSCP Plan is ready for public review, a notice will be sent to our distribution list, published in the newspaper and posted on our website.